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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,622	11/20/2001	Kenji Yoshioka	21900/0037	2069

7590 09/28/2006

Morris Liss  
Connolly Bove Lodge & Hutz  
PO Box 19088  
Washington, DC 20036-3425

EXAMINER
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PEREZ, JULIO R

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/937,622

Applicant(s)

YOSHIOKA ET AL.

Examiner

Julio R. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Seto, US Patent Application Publication Number 2001/0002815.

Regarding claim 12, Soto discloses a vehicle system comprising: an emergency communication system terminal unit provided on the vehicle for transmitting emergency information to a remote emergency services center (col. 1, lines 63-66; col. 3, lines 41-45; Figure 1, refs. 4, a transmitting unit included in the emergency call system transmits status information to a HELP center); a gyro sensor and a GPS receiver, both of which are included in the emergency communication system terminal unit for generating vehicle positional information to the emergency services center (col. 2, lines 1-21, 50-61; col. 3, lines 27-45; Figure 1, refs. 4, a gyro sensor and GPS generate vehicle position); data output means for outputting information respectively originated by the

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gyro sensor and the GPS receiver to a navigation system that includes display means and means for indicating a changing present position of the vehicle on the display means col. 3, lines 24-26, 27-32, 34-40, information regarding the vehicle is displayed); and a control unit for controlling the entire emergency communication system terminal unit including the data output means (col. 2, lines 5-6, 12-21; col. 3, lines 33-40; Figure 1, ref. 2, the arithmetic control unit controls the emergency cal system); whereby the navigation system and the emergency communication system terminal unit share the same gyro sensor and GPS receiver (col. 3, lines 31-32, a gyro and GPS are shared with navigation unit in the vehicle).

Regarding claim 13, Soto discloses, wherein the control unit instructs the data output means to output the information if a request signal is generated by a timer unit provided with the control unit or the navigation system (col. 4, lines 22-57, in the event that a real emergency is detected, the control unit controls the means to provide indication of the state of the vehicle in relation to its movement and verification of the expiration of trials; thus, providing an output of the information).

Regarding claim 14, Soto discloses, wherein the data output means outputs speed pulse data or reverse data originated by the vehicle to the navigation system (col. 3, lines 35-40; col. 4, lines 33-39).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 9-11 have been considered but are moot in view of the new ground(s) of rejection. Discussion on new claims 12-14 follows.

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**Conclusion**


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 10:30 - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272- 4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
9/22/06

Julio R Perez  
Examiner  
Art Unit 2617

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER